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BEFORE THE

Federal Communications Commission

WASHINGTON, D.C.

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

MM Docket No. 93-48

In the Matter of)

Policies and Rules Concerning)
Children's Television Programming)

Revision of Programming Policies)
for Television Broadcast Stations)

TO: The Commission

COMMENTS OF WTTE, CHANNEL 28 LICENSEE, INC.

WTTE, Channel 28 Licensee, Inc. ("WTTE"), licensee of television station WTTE(TV), Channel 28, Columbus, Ohio, hereby submits its Comments on the Commission's Notice of Inquiry, FCC No. 93-123 (March 2, 1993) ("NOI").

INTRODUCTION

1. In this proceeding, the Commission seeks to clarify the types and quantity of children's programming a television station must broadcast to demonstrate compliance with the Children's Television Act of 1990 (the "Act") and the Commission's Rules implementing it. Specifically, the Commission seeks to establish a renewal application processing guideline in which primary credit is given for airing standard-length, regularly-scheduled, primarily educational and informational programs and a minimum amount of such programming is required to avoid additional Commission scrutiny. NOI at 5.

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2. It is WTTE's position that these requirements would
disserve the child audience. undermine the laudable goals of the

children of entertainment, particularly fantasy-related programming, over further organized, instructional programming is obvious. Given the option, the children will choose the entertainment programming and completely tune out the educational messages of the standard-length instructional programs.

B. The Standard-Length, Primarily Educational Programming Requirement Will Ultimately Reduce the Amount of Innovative Children's Programming Available

5. One of the important goals of the Act and the Commission's Rules implementing it was to increase the amount of programming available for children's educational and informational needs. In the Matter of Policies and Rules Concerning Children's Television Programming, 6 FCC Rcd 2111.

fare. This situation almost assures that the same standard-length educational programs will be aired nationwide and that children's programming will become, quite simply, standard.

7. Other, more financially viable and child-effective options are available and the Commission should allow broadcasters the flexibility to explore these options.

8. WTTE is a case in point. Because WTTE believes that given an option, children will almost always prefer entertainment programs over informational or instructional ones, several years ago, to effectively counter this child-viewer reality and to more effectively capture children's shorter attention spans, it created shorter program elements capable of addressing children's educational and informational needs which could be integrated into the station's very popular children's entertainment programs. These short program elements, which frequently utilize the station's Kids Club hostess for greater program integration, have, on a daily basis in all children's time periods, dealt with the complete spectrum of issues, a wide range of educational disciplines, and environmental and social concerns. This approach allows WTTE to create high-quality, child-attractive segments which hold children's interest and to treat a far broader spectrum of issues than could be covered in a full-length program.

9. A review of the program segments WTTE aired in just the six month period prior to its license renewal application illustrates this point:

- (a) In the first month, WTTE broadcast 361 children's short programming elements with a duration of 30 seconds to two minutes each. These elements were all locally produced, utilizing the station's children's programming host. Subjects treated included safety tips, bus and pedestrian safety, anti-smoking and drug messages, wildlife information, creative participation segments, child achievement recognition, geography, zoology, history, archeology, atomic science, technology, astronomy, vocabulary, energy conversation, and physical fitness for children.
- (b) In the second month, WTTE broadcast 232 children's short programming elements with a duration of 30 seconds to two minutes each. Subjects treated included history, children's health, anti-drugs, wildlife, creative participation segments, geography, biology, archeology, science, vocabulary, environmental conservation, and physical fitness for children.
- (c) In the third month, a total of 668 children's short program elements were broadcast. Subjects of these elements included children's health, history, zoology, anti-drug, self-esteem, vocational glimpse, wildlife, creative participation segments, human anatomy, general science, vocabulary, and children's community service.
- (d) In the fourth month, WTTE broadcast 547 children's short program elements. Subjects of these elements included children's health, nutrition, personal hygiene, human anatomy, wildlife, zoology, archeology, vocabulary, and physical fitness for children.

jects of these elements included physical fitness for children, children's health, nutrition, dental health, children's community service, human anatomy, creative participation segments, child achievement recognition/personal safety, history, environment, geography, vocabulary, wildlife, civics, recycling, and reading.

- (f) In the sixth month, 418 short children's programming segments were broadcast. Subjects included were nutrition, children's health, human anatomy, creative participation segments, anti-drug/alcohol segments, geology, wildlife, general science, oceanography, child achievement recognition, environmental preservation, and vocabulary.

10. All the issues outlined above were a part of WTTE's children's block which attracts a large audience. Therefore, a broad audience of children was exposed to these vignettes daily because they were part of the station's most favorite children's programs. Yet, under the announced policy of requiring broadcasters to air standard-length, primarily educational programs, WTTE would receive little, if any, credit for this extra-ordinary and successful effort. Faced with a requirement of expending its resources to purchase less effective syndicated, standard-length programming, WTTE and other broadcasters would be required to curtail their other innovative programming efforts. This result is completely the reverse of the intentions of both Congress and the Commission.

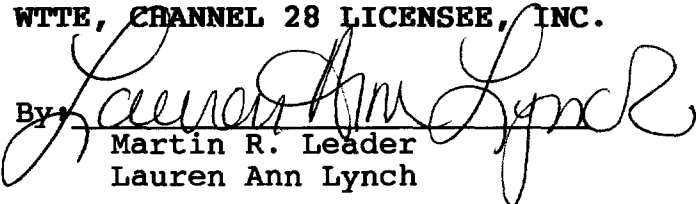
CONCLUSION

Both the Act and the Commission's rules implementing it acknowledge the independent discretion of the broadcaster in programming for children. In the Matter of Policies and Rules Concerning Children's Television Programming, 6 FCC Rcd 2114-15. WTTE's comments herein demonstrate the prudence of that policy. Uniformly requiring broadcasters to provide any specific amount of standard-length programming will have the adverse effect of inhibiting truly innovative and effective locally-produced programming and provide Commission sponsorship to the continuation of mediocre program-length shows.

Respectfully submitted,

WTTE, CHANNEL 28 LICENSEE, INC.

By:


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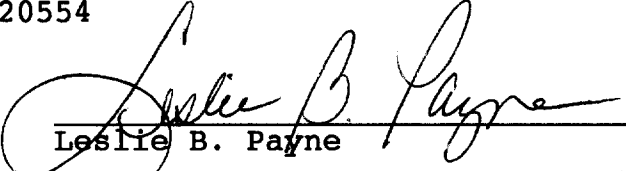
Dated: May 7, 1993

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CERTIFICATE OF SERVICE

I, Leslie B. Payne, hereby certify that I have this 7th day of May, 1993, mailed by first class United States mail, postage prepaid, copies of the foregoing "COMMENTS OF WTTE, CHANNEL 28 LICENSEE, INC." to the following:

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